

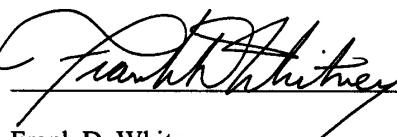
**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:08-cv-00357-W**

JIMMY D. POWELL,)	
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
DAVID E. MOON and CRETE CARRIER)	
CORPORATION,)	
)	
Defendant.)	
)	

THE MATTER is before the Court on Defendant's Motion for Summary Judgment (Doc. No. 15), filed March 24, 2009. For the reasons stated in the Court's oral order issued in open court on Monday, May 18, 2009, Defendant's motion is GRANTED IN PART AND DENIED IN PART. Furthermore, a pretrial conference shall take place on June 23, 2009, at 10:30 p.m. in Courtroom 1 of the Charles R. Jonas Building.

IT IS SO ORDERED.

Signed: May 21, 2009



Frank D. Whitney
United States District Judge
